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**From:** Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Sent:** 8/7/2018 2:36:22 PM  
**To:** Lieberman, Paige [Lieberman.Paige@epa.gov]  
**CC:** Dennis, Allison [Dennis.Allison@epa.gov]; Goodin, John [Goodin.John@epa.gov]  
**Subject:** Re: 404G call with press

Wow, interesting. Thanks for the update!

On Aug 7, 2018, at 10:10 AM, Lieberman, Paige <[Lieberman.Paige@epa.gov](mailto:Lieberman.Paige@epa.gov)> wrote:

Yes. They were the only media who announced themselves on the line.

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**From:** Dennis, Allison  
**Sent:** Tuesday, August 07, 2018 10:08 AM  
**To:** Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>  
**Cc:** Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>; Lieberman, Paige <[Lieberman.Paige@epa.gov](mailto:Lieberman.Paige@epa.gov)>  
**Subject:** RE: 404G call with press

+ Paige to answer Andrea's q

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**From:** Drinkard, Andrea  
**Sent:** Tuesday, August 07, 2018 9:57 AM  
**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Cc:** Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>  
**Subject:** Re: 404G call with press

There we're really only 3 questions?

On Aug 7, 2018, at 9:46 AM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

FYI

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**From:** Lieberman, Paige  
**Sent:** Tuesday, August 07, 2018 9:33 AM  
**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>; Fuld, John <[Fuld.John@epa.gov](mailto:Fuld.John@epa.gov)>  
**Subject:** 404G call with press

Here are notes from the press call with EPA, ACE and CEQ (including Dave). These might be helpful as press questions come up today.

404G call

USG Speakers -- Ryan Fisher (ACE), Dave Ross (EPA), Alex Hergott (CEQ)  
Immediately after call, Army is releasing press release and sending letters to all governors and federally-recognized tribes.  
Alex -- When the CWA was enacted many states didn't have sophisticated programs. Now they often have more stringent programs than federal requirements, so this is a process change that will reduce the wait time and paperwork to get projects underway but will not lead to any reduced environmental protection.

Press Questions:

Bloomberg environment – Which waters will the Corps retain authority over?

Ryan – ACE will retain permitting authority over navigable water (rivers and harbors).

ACE will sign a MOA with whatever state wants to assume authority over remaining waters and establish a boundary.

Amy Snyder, Politico – Another hindrance for states assuming authority has been a lack of federal funding. Do you have plans for grappling with that? Also, you referenced the ongoing WOTUS rulemaking – are you hearing from states any confusion about how what they would be assuming could be a moving target?

Alex – Now there is a new level of collaboration with the states on what is actually a navigable water, not these waters that have been questioned under the expanded scope of WOTUS. Fifteen states have approached us to take on this work, we can take this information and approach our legislatures to talk about funding.

Dave – Funding has been identified in the past as an impediment. As you're considering talking to state legislatures about funding, an impediment has been figuring out the cost of the FTE and expenditures. There has been a question over what is a WOTUS for a long time, so these issues are generally separate. States were still interested in assuming authority long before even the 2015 rule came out.

The Hill – Are these waters that are assumable still subject to federal regulations? Will any of these assumable waters be subject to lesser environmental or ecological standards?

Dave – The process for delegating authority to states will be similar to what we do under the 402 permitting standards program. Part of that effort is for EPA to review state standards and ensure that they are meeting minimum federal standards so that they can take over authority, while still maintaining federal oversight. For 404 this will be the same – we will review state standards as part of the approval process and retain federal oversight.

**Paige Lieberman**

Acting Director of Stakeholder Engagement

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